

REMARKS

By this Amendment, claim 1 is amended to merely clarify the recited subject matter and claims 4 and 5 are amended to correct for multiple dependencies. Claims 1-9 are pending.

The Office Action rejected claims 1-9 under 35 U.S.C. 102 in view of Kortessalmi (U.S. 6,427,073). Applicant traverses the rejection because Kortessalmi fails to disclose, teach or suggest all the features recited in the rejected claims. For example, Kortessalmi fails to disclose, teach or suggest the claimed method for detecting a copied international mobile equipment identity in a mobile system in which at least one international mobile subscriber identity and a mobile equipment identity is associated with a mobile station, the method comprising “checking whether there is a record in the database, which contains a mobile equipment identity corresponding to the mobile equipment identity transmitted by the mobile station, and (iv) if there is a record in the database, checking whether the record includes a mobile subscriber identity corresponding to the mobile subscriber identity transmitted by the mobile station, and, if there is no record in the database, producing at least a signal indicating that the mobile equipment identity is possibly a copied one,” as recited in independent claim 1 and its dependent claims 2-6.

Similarly, Kortessalmi fails to disclose, teach or suggest the claimed mobile system comprising “first means for checking whether the database contains a record which contains a mobile equipment identity corresponding to the mobile equipment identity transmitted by the mobile station, but whose mobile subscriber identity does not correspond to that transmitted by the mobile station, and second means responsive to the first means to produce a signal indicating that the mobile equipment identity is possibly a copied one,” as recited in independent claim 7 and its dependent claim 8.

Finally, Kortessalmi fails to disclose, teach or suggest the claimed element of a mobile network, which includes “a database, containing records, each record containing an international mobile equipment identity associated with a mobile station and at least one international mobile subscriber identity,” as recited in independent claim 9.

As explained in Applicant’s specification, Applicant’s Figs. 3A, 3B and 3C illustrate signaling diagrams related to operation of Applicant’s invention in three different situations; however, in each illustrated situation, there is already a first mobile station registered in the

communications system with its International Mobile Equipment Identity (IMEI), IMEI1 and its International Mobile Subscriber Identity (IMSI), IMSI1. As illustrated in Applicant's Fig. 3A, a second mobile station requests a location update (having IMEI2). Thus, the second mobile station does not have the same IMEI as the first mobile station. In that scenario, the operation continues normally. As illustrated in Applicant's Fig. 3B, two identical existing IMEIs also have identical IMSIs (i.e., the second mobile station also has IMEI1 and IMSI1). Such a scenario may occur, e.g., because the one and only mobile station has just crossed the border of two cells. In that scenario, the operation also continues normally. As illustrated in Applicant's Fig. 3C, the mobile station has the same IMEI (that is, IMEI1) but a different IMSI (that is, IMSI3). In that scenario, at least a signal is produced as a result.

Therefore, in the present invention, if IMSIs are the same (as in the scenarios illustrated in Figs. 3A and 3C with a second mobile station), the normal operation is performed. However, if the IMSIs are not the same, normal operation is interrupted because a previously used IMEI (IMEI1) has been assigned to a (stolen) terminal and a user (IMSI3) other than the original one (IMSI1) is using that terminal (IMEI1). Thus, as explained in Applicant's specification, when a legal IMSI (e.g., IMSI3) uses a particular IMEI (e.g., IMEI1 or IMEI2), which is already in use, and the IMSI (IMSI 3) is not the same as the one already in use (e.g., IMSI1, IMSI2), the claimed method (claim 1) and system (claim 7) detect the situation by accessing the claimed database (claim 9).

To the contrary, in Kortessalmi, an IMEI check is performed (step 76, in Figure 7, step 84, in Figure 8). However, the result of that check is that, if IMEI_MS = IMEI_HLR, access is granted (see Kortessalmi, Figure 7) or a location update is acknowledged (see Kortessalmi, Figure 8). Nevertheless, Kortessalmi fails to disclose, teach or suggest whether the IMSIs should be checked.

Accordingly, Applicant traverses the rejection of the pending claims 1-9. All issues having been traversed, Applicant submits that the application is in condition for immediate allowance and requests that a Notice be issued to that effect. If anything remains necessary to place the application in condition for allowance, Applicant requests that the Examiner contact Applicant's undersigned representative.

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Respectfully submitted,

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